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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,241	02/24/2004	Brent J. Cornell	29718	1035
23482 7590 09/19/2007 WILHELM LAW SERVICE, S.C. 100 W LAWRENCE ST THIRD FLOOR APPLETON, WI 54911			EXAMINER KWIECINSKI, RYAN D	
			ART UNIT 3635	PAPER NUMBER
			MAIL DATE 09/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/785,241	Applicant(s) CORNELL, BRENT J.	
	Examiner Ryan D. Kwiecinski	Art Unit 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 54 is rejected under 35 U.S.C. 102(e) as being anticipated by US

2003/0068211 A1 to Bailey.

Claim 54:

A combination two piece fastener comprising:

a) a fastener body (60, Fig.3), said fastener body having a first set of threads (61, Fig.3) having a first thread configuration extending from a first end of said fastener body, and a second set of threads (62, Fig.3) having a second thread configuration extending from a second opposing end of said fastener body;

b) an enlarged fastener head (21, Fig.3) having a first end (top of head, Fig.3) and a second end (bottom of head, Fig.3), said fastener head comprising a bore (44, Fig.4a) being closed at one end (top of head, Fig.3) and extending

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longitudinally from a said first end toward said second end, said bore comprising inner threads (lines on the inside of the bore, Fig.3) corresponding to the said second thread configuration, such that the said fastener head can be threaded onto the said fastener body, and in cooperation with said closed end of said bore, said fastener head; can thereby be used to drive said fastener, and to accordingly fasten said fastener to a substrate, and wherein, once said fastener body is driven into a substrate using said fastener head as a driving tool, said fastener head can be removed from said fastener body and thereby is ineffective to remove said fastener body from such substrate.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-41 and 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,619,823 to Ruff in view of US 3,345,780 to McGhee in view of US 4,793,109 to Noach.

Claim 1:

Ruff et al. disclose a jamb assembly, adapted to use in a door frame, and comprising:

a) an elongate jamb (16, Fig.1) having a length, and comprising an inner flange (40, Fig.2) having a first proximal edge (edge connecting 40,42, Fig.2) and a first distal edge (edge connected to 92, Fig.2), and outer flange (flange opposite of 40, Fig.2) having a second proximal edge and a second distal edge, and a jamb face plate (plate in between the two flanges, Fig.2) extending between said inner flange at said first proximal edge and said outer flange at said second proximal edge, said elongate jamb defining an elongate cavity (the open space between the flanges, Fig.2) therein extending along the length of said elongate jamb, and extending from at or adjacent an inner surface of said jamb face plate to an elongate opening (opening between 90,92, Fig.2) proximate said first and second distal edges of said inner and outer flanges, the elongate opening being defined along the length of said elongate jamb between said inner and outer flanges;

c) a plurality of spaced apart reinforcement plates (28,70, Fig.1) secured to said inner surface of said jamb face; and

Ruff et al. does not disclose:

b) a plurality of spaced apart spacing blocks positioned in said elongate jamb adjacent to said inner surface of said jamb face plate, each of said spacing blocks having a width extending from said inner flange to said outer flange; and

spaced apart reinforcement plates aligned longitudinally between said plurality of spaced apart spacing blocks;

d) an elongate insert, having a length and a width, the width of said insert being less than the width of each of said plurality of spacing blocks, said insert received in said elongate cavity and extending at least to said elongate opening so as to cover both said plurality of spaced apart spacing blocks and said plurality of reinforcement plates, said insert operating to increase stiffness of said jamb assembly.

McGhee discloses a plurality of spaced apart spacing blocks (34, Fig.4) positioned in said elongate jamb adjacent to said inner surface of said jamb face plate, each of said spacing blocks having a width extending from said inner flange to said outer flange (fit from one flange to the other, Fig.4).

Noach discloses an elongate insert (1, Fig.4), having a length and a width, the width of said insert being less than the width of each of said plurality of spacing blocks (blocks go from flange to flange, insert goes from flange lip to flange lip, Fig.4), said insert received in said elongate cavity and extending at least to said elongate opening so as to cover both said plurality of spaced apart spacing blocks and said plurality of reinforcement plates, said insert operating to increase stiffness of said jamb assembly.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the jamb assembly of Ruff et al. spaced apart spacing blocks as well as a reinforcing insert. It would have also been

obvious to have spaced the reinforcement plates between the spaced apart spacing blocks. The inclusion of the different items in the jamb assembly greatly increases the structural strength of the jamb assembly.

Claim 2:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1, McGhee and Noach also disclose wherein each of said plurality of spaced apart spacing blocks has a planar surface and said elongate insert has a planar surface and said planar surface of said elongate insert contacts said planar surface of each of said plurality of spaced apart spacing blocks.

Both the spacing blocks of McGhee and the Insert of Noach have planar surfaces and if they were combined in the jamb assembly of Ruff et al. then the surfaces would be in contact.

Claim 3:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 2, they also disclose wherein said planar surface of each of said spaced apart spacing blocks faces away from said inner surface of said jamb plate and said elongate insert interfaces either directly or indirectly with said elongate jamb at at least three spatially displaced locations along substantially all of the common length of said insert and said jamb.

McGhee discloses the planar surfaces facing away from the jamb plate and Noach shows the reinforcing insert in contact with at least 3 surfaces directly or indirectly (the 2 flange lips and the screws holding the insert contact the from

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jamb plate, Fig.4). In use with Ruff et al. the insert would be in contact with the planar surface of the spacing blocks of McGhee.

Claim 4:

Ruff et al. in view of McGhee in view of Noach disclose the jamb of claim 3, Noach also discloses wherein a width of said elongate insert located between a first portion of said inner flange and a first portion of said outer flange extends a distance "D" generally aligned with said inner and outer flanges, thereby filling a substantial portion of said elongate cavity between said jamb face plate and the elongate opening (1, Fig.4).

Claim 5:

Ruff et al. in view of McGhee in view of Noach disclose the jamb of claim 1, Noach also discloses wherein said elongate insert fills substantially all the space in the said cavity between a portion of said inner flange and a portion of said outer flange, and fills a substantial portion of all the space between the elongate opening and said jamb face plate (1, Fig.4).

Claim 6:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 4, Noach also discloses including a void space (spaces between the insert 1 and the flange lips, Fig.4) in the said elongate cavity located between said elongate insert and a second portion of at least one of said inner flange and said outer flange.

Claim 7:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 5, Noach also discloses including a void space (spaces between the insert 1 and the flange lips, Fig.4) in the said elongate cavity located between said elongate insert and a second portion of at least on of said inner flange and said outer flange.

Claim 8:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 1, McGhee also discloses wherein said plurality of spaced apart spacing blocks include at least three spacing blocks (34, Fig.1) disposed between said elongate insert and said jamb face plate.

Claim 9:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 8 wherein said plurality of spaced apart spacing blocks collectively providing a mounting surface which receives a corresponding surface of said elongate insert and each of said plurality of spaced apart spacing blocks contact said inner surface of said jamb plate and a portion of said inner and outer flanges.

McGhee discloses the spacing blocks have a planar surface and the planar surface of the insert of Noach will contact the planar surface of the spacing blocks when used in the jamb assembly of Ruff et al.

Claim 10:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 8, McGhee also discloses wherein each of said plurality of spaced apart spacing blocks is spaced (34, Fig.1) from each other along the length of the jamb.

Claim 11:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 1 wherein a single reinforcement plate is longitudinally positioned between two adjacent spacing blocks.

McGhee discloses three spacing blocks (34, Fig.1) and Ruff et al. discloses three reinforcement plates, it would have been obvious to place the three plates between the three blocks.

Claim 12:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 11, Ruff et al. also disclose wherein each of said reinforcement plates has at least one hole (61,62, Fig.6) formed there through.

Claim 13:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 11, McGhee also discloses wherein said elongate jamb has a plurality of apertures (holes in 26, Fig.4) formed through said face plate and each of said plurality of spaced apart spacing blocks has at least one hole (38, Fig.1) formed there through, and a draw fastener (44, Fig.2) is inserted through at least one of said aperture and a corresponding hole, said draw fastener capable of drawing said corresponding spacing block and said elongate insert toward said jamb face plate.

Claim 14:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 13, wherein said draw fastener draws said elongate insert towards each of said plurality of reinforcement plates.

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 13, Noach also discloses wherein said draw fastener (6a, Fig.4) passes completely through said elongate insert and passes into a stud which abuts said elongate jamb.

Claim 15:

Ruff et al. in view of McGhee in view of Noach disclose jamb assembly of claim 13, wherein said draw fastener passes completely through said elongate insert and passes into a stud which abuts said elongate jamb.

Noach discloses a draw fastener that passes completely through the spacing blocks, completely through the next spacing insert, and into the

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surrounding door frame. It would have been obvious to have used a long enough fastener in the combination of Ruff et al., McGhee, and Noach in order to fasten the blocks, the insert and the surrounding door opening to secure the jamb assembly in the door frame.

Claim 16:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1 wherein each of said reinforcement plates has a thickness, which approximates the thickness of each of said spaced apart spacing blocks.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the reinforcement plates the same thickness as the spacing blocks in order to be able to contact the reinforcing insert of Noach. If the spacing blocks as well as the reinforcement plates contact the insert then the jamb assembly will have increased structural strength.

Claim 17:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1 wherein at least three reinforcement plates are spaced between four spacing blocks in each elongate jamb.

It would have been obvious to have included four spacing blocks instead of three in order to increase the over all strength of the jamb assembly. With four spacing blocks, the insert will be secured at 4 different points of the jamb assembly.

Claim 18:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1 wherein said plurality of reinforcement plates interrupts a de minimis portion of, and thereby extends through a de minimis area of, an imaginary plane defining a mounting surface.

It would have been obvious to have constructed the jamb assembly of Ruff et al. with larger spacing blacks or smaller reinforcement plates in order to fir the desired projected area of the components. The size of the blocks and/or plates is not a criticality of the jamb assembly.

Claim 19:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1, Ruff et al. discloses wherein a projected area of said jamb is defined from the direction of the elongate opening, said jamb assembly further comprising, in said elongate cavity, one or more reinforcement plates permanently mounted (10, Fig.3) to said jamb, McGhee and Ruff et al. disclose said plurality of spaced apart spacing blocks and said reinforcement plates occupying different portions (spacing blocks and insert are different sizes) of the projected area of said jamb.

Claim 20:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1, McGhee also discloses wherein said plurality of spaced apart spacing blocks (34, Fig.1) extend from said inner flange to said outer flange (extends

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from side to side, Fig.4) and contact a portion of said inner surface (touch the inner surface 18,26, Fig.1) of said jamb plate.

Claim 21:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 20 wherein said plurality of spaced apart spacing blocks are friction fitted between said inner and said outer flange.

The spacing blocks fit snugly between the flanges of the jamb assembly and are also held in place by screws, Fig.3).

Claim 22:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 1 wherein both said plurality of spaced apart spacing blocks and said elongate insert are friction fit between respective portions of said inner and outer flanges.

Both the spacing blocks of McGhee and the insert of Noach both fit snugly between their respective flanges and flange lips.

Claim 23:

Ruff et al. in view of McGhee in view of Noach disclose the jamb assembly of claim 13 wherein both said plurality of spaced apart spacing blocks and said elongate insert are friction fitted between respective portions of said inner and outer flanges.

Both the spacing blocks of McGhee and the insert of Noach both fit snugly between their respective flanges and flange lips.

Claim 24:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 1 (as rejected above).

Claim 25:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 2 (as rejected above).

Claim 26:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 3 (as rejected above).

Claim 27:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly,

at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 4 (as rejected above).

Claim 28:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 11 (as rejected above).

Claim 29:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 13 (as rejected above).

Claim 30:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly,

at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 16 (as rejected above).

Claim 31:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 17 (as rejected above).

Claim 32:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 18 (as rejected above).

Claim 33:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly,

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at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 19 (as rejected above).

Claim 34:

Ruff et al. in view of McGhee in view of Noach disclose a door assembly comprising a hinge jamb assembly (16, Fig.1, Ruff et al.), a strike jamb assembly (12, Fig.1, Ruff et al.), and a header jamb (18, Fig.1) or header jamb assembly, at least one of said hinge jamb assembly and said strike jamb assembly comprising a jamb assembly as in claim 20 (as rejected above).

Claim 35:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 1 (as rejected above).

It is obvious that a building has a doorway.

Claim 36:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 2 (as rejected above).

It is obvious that a building has a doorway.

Claim 37:

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Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 3 (as rejected above).

It is obvious that a building has a doorway.

Claim 38:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 4 (as rejected above).

It is obvious that a building has a doorway.

Claim 39:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 17 (as rejected above).

It is obvious that a building has a doorway.

Claim 40:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 18 (as rejected above).

It is obvious that a building has a doorway.

Claim 41:

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Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway, and a door assembly in said doorway, said door assembly comprising a door assembly of claim 19 (as rejected above).

It is obvious that a building has a doorway.

Claim 46:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway, said doorway being defined by a rough opening and building framing members defining said rough opening,

Ruff et al. discloses said door assembly having a plurality of elongate jambs (12, 16, Fig. 1), each having a length, and comprising an inner flange (flange on the left of 16, Fig. 1), an outer flange (flange on the right of 16, Fig. 1), and a jamb face plate (plate connecting the inner and outer flange, Fig. 16), and an elongate cavity (space between the flanges, Fig. 1) therein extending along the length of said elongate jamb, and defined between said inner and outer flanges and outwardly of said jamb face plate to an elongate opening into said elongate cavity;

McGhee discloses a plurality of spaced apart spacing blocks (34, Fig. 1) positioned in said elongate jamb adjacent to said inner surface of said jamb face plate, each of said spacing blocks having a width extending from said inner flange to said outer flange (extend the distance between the flanges, Fig. 4);

Ruff et al. discloses a plurality of spaced apart reinforcement plates (28, Fig.1) secured to said inner surface of said jamb face and aligned longitudinally between said plurality of spaced apart spacing blocks;

Noach discloses at least one of said elongate jambs further comprising, an elongate insert (1, Fig.4), having a length and a width, the width of said insert being less than the width of each of said plurality of spacing blocks (the insert only spans the distance between the flange lips where the space block extends to the flanges), said insert received in said elongate cavity and extending at least to said elongate opening so as to cover both said plurality of spaced apart spacing blocks and said plurality of reinforcement plates (Fig.4); and

McGhee also discloses said rough opening being defined by a single thickness of structural member (42, Fig.3) used to define a frame of said building in facing relationship with said at least one elongate jamb which comprises said elongate insert, and wherein a double thickness of said structural member would normally be used to define said rough opening in facing relationship with said at least one elongate jamb, said elongate insert in said door assembly being structurally mounted to the respective said single thickness structural member so as to provide substantially the same structural strength as the normal double thickness rough opening framing structure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have constructed the jamb assembly of Ruff et al. with the spacing blocks of McGhee and the reinforcing insert of Noach. Both of the

additional components enhance the overall structural strength of the door jamb assembly. With the jamb assembly including a reinforcing insert, the surrounding rough opening is just as strong as it would be without the insert and the addition of a second structural member.

Claim 47:

Ruff et al. in view of McGhee in view of Noach disclose a building comprising a doorway as in claim 46.

It is obvious to have a doorway in a building.

Claim 48:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway opening as in Claim 46 wherein said elongate -insert interfaces either directly or indirectly with said elongate jamb at at least three spatially-displaced points at a given locus along the length of said elongate jamb.

McGhee discloses the planar surfaces facing away from the jamb plate and Noach shows the reinforcing insert in contact with at least 3 surfaces directly or indirectly (the 2 flange lips and the screws holding the insert contact the from jamb plate, Fig.4).

Claim 49:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway opening as in Claim 46,

said at least one elongate jamb comprising inner and outer flanges, connected to each other by a jamb face plate, and Noach also discloses wherein a width of said elongate insert located between a first portion of said inner flange and a first portion of said outer flange extends a distance "D" generally aligned with said inner and outer flanges, thereby filling a substantial portion of the said elongate cavity between said jamb face plate and the said elongate opening (1, Fig.4).

Claim 50:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway opening as in Claim 46, said at least one elongate jamb comprising inner and outer flanges, connected to each other by a jamb face plate, further comprising at least first and second spaced apart spacing blocks each having a planar surface and each disposed between said elongate insert and said jamb face plate, said planar surface of each of said first and second spaced apart spacing blocks providing a mounting surface which receives a corresponding planar surface of said elongate insert.

McGhee discloses the spacing blocks have a planar surface and the planar surface of the insert of Noach will contact the planar surface of the spacing blocks when used in the jamb assembly of Ruff et al.

Claim 51:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway opening as in Claim 46,

Ruff et al. also discloses said at least one elongate jamb comprising inner and outer flanges, connected to each other by a jamb face plate, said jamb assembly further comprising, in the said elongate cavity, one or more reinforcement plates permanently mounted (10, Fig.3) to said jamb, each of said reinforcement plates having a first thickness (the thickness of the plates extending toward the cavity) extending away from said jamb face plate and toward said elongate opening, McGhee discloses said plurality of spaced apart spacing blocks collectively providing a mounting surface (planar surface of spacing blocks of the blocks in the cavity) disposed generally between the said elongate opening and said reinforcement plates.

Claim 52:

Ruff et al. in view of McGhee in view of Noach disclose a building doorway, and a door assembly mounted in said doorway opening as in Claim 51, wherein said plurality of reinforcement plates interrupts a de minimis portion of, and thereby extends through a de minimis area of, an imaginary plane defining a mounting surface.

It would have been obvious to have constructed the jamb assembly of Ruff et al. with larger spacing blacks or smaller reinforcement plates in order to fir the desired projected area of the components. The size of the blocks and/or plates is not a criticality of the jamb assembly.

Claims 1-41 and 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,619,823 to Ruff in view of US 3,345,780 to McGhee in view of US 4,793,109 to Noach in view of US 2003/0068211 A1 to Bailey.

Claims 42-45 and 53:

Ruff et al. in view of McGhee in view of Noach disclose the building of claim 35,36,37, and 38 but do not disclose wherein said door assembly is mounted in said doorway using a two piece fastener having a detachable head, said two piece fastener passing into a stud aligned to said elongate jamb and whereby manipulation of said head is ineffective to remove said fastener from said door assembly.

Bailey discloses a two piece fastener with a detachable head (Fig.3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the two piece fastener in place of screws in order to assemble the jamb assembly and prevent unwanted entry from the outside of the building since the detachable head will prevent the fasteners in the jamb assembly from being removed.

Conclusion

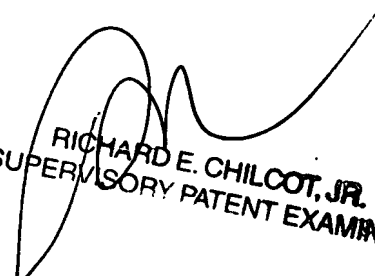
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan D. Kwiecinski whose telephone number is (571)272-5160. The examiner can normally be reached on Monday - Friday from 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571)272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



RICHARD E. CHILCOT, JR.
SUPERVISORY PATENT EXAMINER

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RDK